

BRAZOS WATERMASTER ADVISORY COMMITTEE

Date: July 18, 2019

Location: BRA Office Waco, Texas 76710

Meeting Minutes

List of Brazos Watermaster Advisory Committee (BWAC) Members:

Scott Blasor, Palo Pinto MWD #1
Brad Brunett, Brazos River Authority
Jonathan Dulus, City of Waco
Timothy D. Finley, Dow Chemical Company
Carl Burch, NRG Texas Power, LLC
Robert George, Irrigator
VACANT, Alcoa
David Sauer, Gulf Coast Water Authority
Gary Spicer, Luminant Power
Rodney Stephens, Irrigator
Kevin Taylor, Somervell County Water District
VACANT, City of Temple
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: None

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TCEQ staff present:

Kelly Mills – TCEQ, Asst. Division Director, Water Availability
Laurie Gharis – TCEQ, Manager, Watermaster Section
Stephen Kinal – TCEQ, Watermaster Liaison
Molly Mohler – Brazos Watermaster
Nancy Ragland – Asst. Brazos Watermaster
Christina Hebert – Brazos Administrative Assistant
Guy Falzarano – Lower Basin Watermaster Deputy
Dave Pelloux – Waco East Watermaster Deputy
Calvin Clary – Stephenville West Watermaster Deputy
Steven Dyer – Stephenville East Watermaster Deputy
Sean Jurkis – Central Basin Watermaster Deputy
Travis Ripley – TCEQ, Intern

Guests present: Aaron Abel, Brazos River Authority; Chris Higgins, Brazos River Authority; Terry Benton; Anthony Paddock; Jim Gray; Debby Barney

Call to Order and Introductions

- Meeting was called to order at 1:40 pm by David Sauer
- David noted that Nicole resigned and that Tim Finley agreed to take notes
- Brad Brunett provided welcoming remarks to BRA facilities and first BWAC meeting of 2019; Brad noted he was glad to report good water flows in the basin as compared to year prior
- Guests introduced themselves

Review and approve minutes from the July 11, 2018 meeting

- Prior meeting minutes were distributed.
- Brad Brunett motioned to approve, Scott Blasor seconds, Motion is approved

Update from TCEQ Staff

- Program Update
 - Calvin Clary is now on board as Stephenville West Deputy
 - Program currently has one Watermaster Deputy vacancy. Ben Jacobson left the Waco office. Effort is underway to fill this vacancy.
 - Program has second vacancy in Waco office. Filling this vacancy is on hold while state level program is testing idea of central purchaser.
 - 7 vehicles in program (6 trucks purchased in 2016 and one truck purchased in 2018); vehicle mileage ranges from 93,000 to 40,000 miles; Program will be working to phase in vehicle replacements
 - Need member replacement for City of Temple
 - Statistics for this year:
 - 18 complaints
 - 4 Field Citations
 - 8 Notice of Violations
 - Thoughts on last year's drought
 - No surface water available in lower basin and users relied on released contract water.
 - All diverters were required to call in 24 hours in advance and pumping was allowed on shorter time frames.
 - Watermaster was checking priority.
 - Watermaster Section Manager, Watermaster, and Asst. Watermaster participated in as many as 3 lower basin calls per week.

Questions for Watermaster Staff

- **What sort of issues with citation?** Lots of Oil and Gas in mid basin. Some irrigation violations.
- **What is Notice of Violation (NOV)?** It is a written violation without monetary fines.
- **What is a Field Citation?** Written violation with monetary penalty.
- **What is Enforcement?** Violation with a fine of up to \$5000 per day.

- **Where geographically in the basin were the NOV's and Citation?**
Majority were issued in the upper and middle parts of the basin.
- **What advance notice to Watermaster is required for pumping?**
Standard is 24-hour notice as this gives the Watermaster time to review the situation and respond. When flows are high the Watermaster can elect to be more flexible.

Special Topic: Brazos River Update-Comparison 2011 to 2018 by Aaron Abel

- Throughout the drought BRA pulled and reviewed US drought monitor on a weekly basis; the drought monitor is a base up, county by county, assessment of drought conditions that rolls to a statewide representation of drought. This gets reported on BRA's website.
- The BRA then superimposes reservoir levels over the drought monitor graphic to convey information to customers and public.
- Little river system was impacted by drought in 2017; Hurricane Harvey ended this drought in the lower basin but it continued to be dry in areas farther upstream.
- The 2018 drought started just after Harvey made landfall in the northern and western part of Texas
- Low rainfall in winter and spring of 2018 transitioned into streamflow deficit in summer of 2018
- Rainfall deficit in the central basin began to occur in the summer of 2018. The rainfall deficit was as much as 16 inches in area
- BRA's system level dropped to ~80%; 63,000 AF storage and 7,000 AF pass through
- Note that by comparison the 2011 drought started in the fall of 2010 that transitioned into a very dry 2011 spring
- In 2011 the BRA system inventory level dropped to 62%
- IN 2011, the BRA system water use approached a level that was double of normal levels
- The 2011 drought actually continued to 2015 in some areas
- The BRA released 200,000 AF in 2011
- Fall 2018 to 2019 rainfall is 20 inches above normal.
- NOAA at the moment is projecting normal precipitation in next 6 months of 2019.

Old Business

- **Potential/Propose Modification to Bylaws -Led by David Sauer**
 - Bylaws have lots of language focused on leadership selection
 - Bylaws place constraints on selection of chair
 - Bylaws do not place comparable constraints on the replacement of anyone except the chairman.
 - The bylaws limit service term of BWAC chairs & other leaders
 - Nominating committee can only serve 1 term in succession

- Officers serve 12 month individual terms and can only serve 2 in succession.
- There are only 12 members on the advisory panel so the bylaws are maybe overly constraining. Other Watermaster programs nominate from the floor. They do not have a nominating committee
- Other Watermaster basins have appointments for 2 years, and they stagger leadership replacement, so it is not a whole sale change.
- Pros and cons to nominating committee. The guidance drives the BWAC to look for varied interest in leadership and the nominating committee can help drive a healthy mix of leadership positions.
- **Action:** Molly offered to send out copies of other program bylaws. Group agreed this would be helpful.
- **Discussion:** Group discuss and generally agreed that the bylaws need to be modified/improved.
- **Motion:** David Sauer recommended that the BWAC create a bylaws improvements development committee to review current by-laws and to propose changes to the by-laws and then present them to the BWAC at a future meeting. David Sauer appointed Scott Blasor, Brad Brunett, Johnathan Dulus to serve on this committee with himself. Scott moved to accept David Sauer's recommendation for bylaws committee. Gary Spicer seconded the motion
- **Vote:** Motion to establish bylaws improvement proposal committee is passed by unanimous voice vote.

New Business

- **Appointment of the 2019-2020 Nominating Committee**
 - **Discussion:** Group discuss nomination committee and reached general consensus that this should be delayed in favor of focusing on getting bylaws improvement recommendation. Then the creation of this committee might not be required for the next leadership selection cycle.
 - **Motion:** Gary Spicer moved to postpone creating a nominating committee until 2020 in interest of using guidance in updated bylaws. This motion was seconded.
 - **Vote:** Motion to establish delay creating 2019-2020 Nominating committee passed unanimously by voice vote.
- **Review proposed Brazos Watermaster budget for fiscal year 2020**
 - Watermaster Section Manager provided a review of the proposed fiscal year budget.
 - Procurement and use of iPads discussed previously is included in the proposed budget and will cause budget to increase marginally. Salary adjustment also contribute to modest increase.

- \$829,555 is the proposed budget, and it is expected the program will be able to collect on 97% of permit use assessments.
- With 97% collection rate, the program needs to collect \$855,211 for next fiscal year, which results in a rate of \$0.1628 per acre-foot.
- Any over collection creates a fund balance and is held as a safety net to manage potential funding gaps.
- Vehicles, an attempt will be made to purchase 1 per year beginning next year. If there is salary-savings then this may be used to purchase a vehicle mid-year. Per discussion at last year's meeting, the prior standard for replacement of vehicle is either 9 years old or 100,000 miles. The new standard is 10 years and 150,000 miles.
- There are some extra costs with the aging vehicles: tires replacement and one transmission.
- Molly offered to share next year's bill amount with anyone who was interested.
- **Discussion:** Group discuss budget and there was strong support.
- **Motion:** Tim Finley moved to provide a statement of support for budget approval that match statement provided in prior year. This motion was seconded by Rodney Stephens.
"The BWAC supports the Brazos Watermaster Program's request to the TCEQ Commissioners to support the proposed FY2019 budget of \$829,555, resulting municipal assessment rate of \$0.1628 per acre-foot."
- **Vote:** The motion to provide a statement of support for the proposed budget was passed unanimously by voice vote.

Open Discussion

- No additional topics were raised

Next Meeting

- Next meeting will be set once the bylaws committee has a proposal for new bylaws adoptions

Movement to adjourn

David Sauer adjourned the meeting at 2:52